

# EXHIBIT 2

**From:** Samples, Jeremiah <Jeremiah.Samples@wv.gov> on behalf of Samples, Jeremiah  
**To:** <Jeremiah.Samples@wv.gov>  
**CC:** Crouch, Bill J  
**Sent:** Robertson, April L; Crane, Russell  
5/21/2021 10:32:39 AM  
**Subject:** Re: [External] RE: June 6, 7, 8 -- Interims

My biggest concern with the Ombudsman report is that it validated concerns we already had and added context to them. It also reenforced what legislators hear from their constituents.

Ultimately, we have very serious structural and management issues on top of unprecedented need in the state. I believe our response publicly but also internally has to own this or we risk continued terrible outcomes.

Here is what I think we need:

- 1) Organizational- split BCF, collapse layers of bureaucracy, homogenize policy across districts, eliminate and streamline reporting structure to save staff time, align districts with circuit court. We need a strong, action driven leadership to reform the culture.
- 2) staffing- increase staff to reflect child to worker ratio; increase pay to competitive level with surrounding state; level set training across districts, drive accountability with surveys of foster parents, judges, and prosecutors.
- 3) service reforms- shift placement acuity capacity to serve more acute children; develop infrastructure in WV to eliminate need for out of state placements; create county level service chart for continuum of services so all partners are aware of what is available and state leadership can see gaps in system by area; develop more emergency shelter beds, PRTF placements, sub acute placements, therapeutic foster homes, and transitional services for kids aging out of system; eliminate low end congregate care placements that warehouse kids; place restrictions on length of stay and enforce through MCO; place socially necessary services and wrap around services in managed care; place children and their parents at risk of removal into managed care and penalize them if x percentage of failures occur. We need to press for outcomes on timelines because changes are occurring too slowly.
- 4) data and outcomes- revamp internal affairs in child welfare; develop process by which Dept reviews and responds to ombudsman reports; develop specific metrics by which to evaluate progress of reforms; develop Epi team that can continually evaluate who the children and parents are in child welfare and what occurs to them after they age out to help us prevent cases on front end and assist in transition to successful adulthood on tail end.

Jeremiah Samples  
WV DHHR, Deputy Secretary  
304-389-5944



On May 21, 2021, at 9:07 AM, Crouch, Bill J <Bill.J.Crouch@wv.gov> wrote:

Good points Jeremiah. Where we can identify the problems, let's move quickly to fix them. But at the same time,

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we need to keep our good people motivated and talk about all of the good things we have done.

I am not suggesting we push back on the Ombudsman's report. I think we acknowledge the facts she has laid out. As I recall, only 10% of the inquiries she received required an investigation. That is a positive statistic. On the other hand, we also acknowledge that one case is one too many and vow to keep improving the system, which is what we are doing.

On May 19, 2021, at 3:20 PM, Samples, Jeremiah <Jeremiah.Samples@wv.gov> wrote:

Progress has been made in some areas but overall results are still poor. This report is a starting place but after some conversations with the Ombudsman it could have hit a lot harder. We have mostly good people that do their best but there are critical breakdowns occurring. On the lower end of the bell curve of our workforce, some of these breakdowns have resulted in terrible outcomes for kids and those cannot be defended. There is a lack of policy integrity, and thus practice, across the front lines. Our workers are inundated with paperwork and our management structure has too many levels with too many balls to juggle at critical junction points to assist and hold accountable bad practice/ actors. PATH was to replace one of the most outdated child welfare systems in the country but these upgrades were supposed to happen in 2020 and have been delayed until late 2022.

Our vacancy rates are above 20% and those workers remaining have caseloads that are entirely too high to effectively manage. This is in some ways shielded because we use a ratio based on case vs child and that doesn't account for large families of very troubled children that have diverse needs. This has translated into shortcuts and triage practices that leave our critical partners in the Courts, prosecutor offices, provider community and amongst foster parents going without information or even returned calls in crisis. We have seen a relative increase in the number of kids going out of state and a breakdown in provider infrastructure, part but not all of which is COVID related, that inhibits timely placements. We still have way too many workers staying in hotels and county offices with kids. We still have too many kids that get stuck in placements because we have no where else to send them but out of state. Our progress on restructuring the placement system has been slow and, while we are closer than we were, the hardest part of the road is still ahead. Our wrap around services are solid from a high level policy perspective but we don't have sufficient providers to execute them nor are they coordinated effectively so children have a seamless system of support that all our partners understand or can navigate.

We have some pieces in place and coming into place that are definitely positive: several policy changes out of the recent omnibus bills at the Legislature; funding given to child welfare by the Governor's Office and Legislature; policy reform efforts focused on national best practice to serve kids in the least restrictive setting; growth in the denominator of positions we have in CPS; and growth in salaries that make where we need to be not as big a distance. I could go on and on but I think one of the most important factors we have maintained is a recognition that where we are is not acceptable and that we must continue marching to a better system.

In summation, we have farther to go than what we have come. If we go to the Legislature and push back on a report that ultimately reflects what legislators are hearing from their constituents then we will lose their ongoing partnership in the reforms that we continue to need for kids. There is a balance to be struck but I strongly believe we have to display our recognition that many many problems still exist even with the progress that has been made.

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**From:** Crouch, Bill J <Bill.J.Crouch@wv.gov>  
**Sent:** Wednesday, May 19, 2021 2:23 PM  
**To:** Samples, Jeremiah <Jeremiah.Samples@wv.gov>  
**Cc:** Robertson, April L <April.L.Robertson@wv.gov>; Crane, Russell <Russell.Crane@wv.gov>  
**Subject:** Re: [External] RE: June 6, 7, 8 -- Interims

Jeremiah...we will not own the Ombudsman Report. She is autonomous, separate and distinct from BCF, and for the most part, only hears and deals with the bad stuff. We have a lot of BCF employees out there that do a great job and take great care of our kids. We need to say that.

We need to be positive about what we have done, and what we are doing to improve the system. And we have done a great deal.

Bill

On May 19, 2021, at 1:37 PM, Samples, Jeremiah <[Jeremiah.Samples@wv.gov](mailto:Jeremiah.Samples@wv.gov)> wrote:

We also received request on CPS, foster parent process, and broader child welfare reforms from Education interim committee. I talked to Cammie earlier today about it.

On the Ombudsman report, I talked to her about how we needed to own this report. There is no two ways about it- the report reflects badly on child welfare and reenforces what we hear from multiple stakeholders. We need to tell our front line staff, who may be listening, that if they are overwhelmed, frustrated, and want to do a good job but the system is a hinderance then we are going to fix it. However, for those bad actors out there who take short cuts that risk children and fail to be helpful to the Courts, foster parents, and other key partners, they are going to be held accountable.

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**From:** Robertson, April L <[April.L.Robertson@wv.gov](mailto:April.L.Robertson@wv.gov)>  
**Sent:** Wednesday, May 19, 2021 11:06 AM  
**To:** Crouch, Bill J <[Bill.J.Crouch@wv.gov](mailto:Bill.J.Crouch@wv.gov)>; Samples, Jeremiah <[Jeremiah.Samples@wv.gov](mailto:Jeremiah.Samples@wv.gov)>  
**Cc:** Crane, Russell <[Russell.Crane@wv.gov](mailto:Russell.Crane@wv.gov)>  
**Subject:** RE: [External] RE: June 6, 7, 8 -- Interims

I'd like to have Cammie there too.

Jeremiah, will you be letting Ayne know about this or do you want me to? (Justin already knows.)

These meetings will tentatively be on Monday, June 7.

**From:** Crouch, Bill J <[Bill.J.Crouch@wv.gov](mailto:Bill.J.Crouch@wv.gov)>  
**Sent:** Tuesday, May 18, 2021 5:46 PM  
**To:** Samples, Jeremiah <[Jeremiah.Samples@wv.gov](mailto:Jeremiah.Samples@wv.gov)>  
**Cc:** Robertson, April L <[April.L.Robertson@wv.gov](mailto:April.L.Robertson@wv.gov)>; Crane, Russell <[Russell.Crane@wv.gov](mailto:Russell.Crane@wv.gov)>  
**Subject:** Re: [External] RE: June 6, 7, 8 -- Interims

Agree with all.

On May 18, 2021, at 4:46 PM, Samples, Jeremiah <[Jeremiah.Samples@wv.gov](mailto:Jeremiah.Samples@wv.gov)> wrote:

I think we should have Linda respond to Ombudsman report.

I think Justin should give the DHHR report on PATH status.

I think Dr. Amjad should give response on LHDs and status of that effort.

I would be happy to do any or all of these as an alternative but likely most appropriate for the above.

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**From:** Robertson, April L <[April.L.Robertson@wv.gov](mailto:April.L.Robertson@wv.gov)>  
**Sent:** Friday, May 14, 2021 10:12 AM

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To: Crouch, Bill J <[Bill.J.Crouch@wv.gov](mailto:Bill.J.Crouch@wv.gov)>; Samples, Jeremiah <[Jeremiah.Samples@wv.gov](mailto:Jeremiah.Samples@wv.gov)>; Crane, Russell <[Russell.Crane@wv.gov](mailto:Russell.Crane@wv.gov)>

Subject: FW: [External] RE: June 6, 7, 8 -- Interims

Importance: High

Charlie sent the updated list of topics below and also called me. Comments in red are based on that conversation.

From: Charlie Roskovensky <[charles.roskovensky@wvhouse.gov](mailto:charles.roskovensky@wvhouse.gov)>

Sent: Friday, May 14, 2021 9:47 AM

To: Robertson, April L <[April.L.Robertson@wv.gov](mailto:April.L.Robertson@wv.gov)>

Subject: [External] RE: June 6, 7, 8 -- Interims

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June 6, 7, and 8 Interims

Joint Health Committee –

**Local Public Health** - Presentation by Tom Susman, but can also include update from DHHR on the new State/Local Planning Team weekly meetings if we want to add anything:

- Funding
- Core Services
- Leadership
- Structure
- Staffing
- Computer system
- How are rules developed
- How do you ensure consistency with interpretation of rules
- How do you receive communications from state health officer
- Performance standards

**Goal - Funding/Providing same core services/Consistency**

LOCHHRA –

**Foster Care Ombudsman Report**

Pamela Woodman, Ombudsman

Presentation of recently filed annual report

Discuss recommendations for improvement

DHHR Response? If we want to comment on any of Pam's findings or say how they are being addressed.

**DHHR CPS data system transition from FACTS to PATH status. Also, will info from counties be accessible in Charleston?**

- Overview/ web-based
- Timeline for implementation
- Cost
- Who developed
- Standardized Reports
- Parents access / Calendaring system
- How will transition to Google impact

Charles Roskovensky  
Chief Counsel

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Committee on Health & Human Resources  
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**From:** Robertson, April L <[April.L.Robertson@wv.gov](mailto:April.L.Robertson@wv.gov)>  
**Sent:** Friday, May 14, 2021 9:22 AM  
**To:** Cindy Dellinger <[cindy.dellinger@wvsenate.gov](mailto:cindy.dellinger@wvsenate.gov)>; Charlie Roskovensky <[charles.roskovensky@wvhouse.gov](mailto:charles.roskovensky@wvhouse.gov)>  
**Subject:** June 6, 7, 8 -- Interims

Cindy and Charlie:

We received this general list of topics for interims a while back. If possible, I'd like to find out *specifically* what the committees are expecting from us in June so we can better prepare:

LOCHHRA

- Data
- All-Payer Claims
- Internal data review
- Vital Statistics
- Reporting LHD deaths

Joint Health

- Local public health

Thanks!

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Office of Cabinet Secretary Bill J. Crouch  
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